

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - W/S Old Harford Road, 177' N of the c/l of Putty Hill Avenue (8602 Old Harford Road) 9th Election District 6th Councilmanic District Edward L. Gittings, Jr., et ux Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-134-SPHX

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Edward L. Gittings, Jr. and Linda M. Gittings, by and through their attorney, Newton A. Williams, Esquire to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash on the subject property in accordance with the plan submitted and identified as Petitioner's Exhibit 1.

WHEREAS, the relief requested was granted, subject to restrictions, by Order issued December 10, 1992.

WHEREAS, by letter dated January 7, 1993, Counsel for the Petitioners requested a modification of that Order concerning Restrictions 4 and 6. Specifically, the Petitioners requested that I modify the requirement that they replace all concrete curbs and sidewalks on the subject property and modify the hours of operation for the subject car wash.

WHEREAS, the Petitioner submitted various photographs of the property and additional documentation in support of their request for modification.

ORDER RECEIVED FOR FILING  
Date 1/13/93  
By [Signature]

NOW, THEREFORE, in consideration of the Petitioners' request for modification of the Order issued December 10, 1992, more specifically, Restrictions 4 and 6 thereof.

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of February, 1993 that the Order issued December 10, 1992, more specifically, Restrictions 4 and 6 thereof, be and the same is hereby AMENDED as follows:

- 1) The hours of operation of the car wash shall be consistent with the hours of operation of gasoline sales on the subject property. If the Petitioners sell gasoline 24-hours per day, then the car wash shall be permitted to operate on a 24-hour basis daily. This will insure that there is at least one employee on site at all times to oversee the operation of the car wash.
- 2) The Petitioners shall not be required to replace all curbs and gutters on the subject property. However, the Petitioners shall be required to repair and/or replace the busted curb and cracked sidewalk located at the rear entrance to the site from Old Harford Road as depicted in the photograph marked Modification Exhibit 1, a copy of which has been attached hereto.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued December 10, 1992 shall remain in full force and effect.

TMK:bjs

cc: Newton A. Williams, Esquire  
210 W. Pennsylvania Avenue, Suite 700, Towson, Md. 21204

People's Counsel

File

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

- 2 -

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - W/S Old Harford Road, 177' N of the c/l of Putty Hill Avenue (8602 Old Harford Road) 9th Election District 6th Councilmanic District Edward L. Gittings, Jr., et ux Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-134-SPHX

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception filed by the legal owners of the subject property, Edward L. Gittings, Jr. and Linda M. Gittings, by and through their attorney, Newton A. Williams, Esquire. The Petitioners request a special hearing to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash. The Petitioners also request a special exception to permit a use in combination service station and car wash on the subject property, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions was Edward L. Gittings, Jr., property owner. Mr. Gittings was represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petitions were Walter T. Parr with B.P.S. Land Technology, Inc., and John W. Erdman, Traffic Expert. There were no Protestants.

Testimony and evidence presented indicated that the subject property, known as 8602 Old Harford Road, consists of 0.80 acres more or less zoned B.L. The property is currently improved with a two-bay service station, various gas pumps and a kiosk where patrons pay for gasoline. Testimony revealed that Mr. Gittings purchased the property in 1975 and

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Date 1/13/93  
By [Signature]

The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of December, 1992 that the Petition for Special Hearing to approve a modification of the relief granted in prior Case Nos. 4928, 71-217 and 78-70-X to permit a use in combination service station and car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth below; and,

\* IT IS FURTHER ORDERED that the Petition for Special Exception to permit a use in combination service station and car wash on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall submit a landscape plan for approval by the Landscape Planner for Baltimore County prior to the issuance of any permits. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits.
- 3) All exterior walls of the existing service station on which there is peeling paint shall be repainted and regularly maintained.
- 4) The Petitioner shall be required to replace all concrete curbs and sidewalks on the subject property.
- 5) Due to the close proximity of the residential neighborhood to the west of the subject site, the car wash operation shall be restricted to the hours of 9:00 AM to 10:00 PM, seven days a week.
- 6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that Petitioners shall have five (5) years from the date of this Order in which to utilize the special exception relief granted herein.

TMK:bjs

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 1/13/93  
By [Signature]

- 3 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

December 10, 1992

(410) 887-4386

Newton A. Williams, Esquire  
210 W. Pennsylvania Avenue, Suite 700  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION  
W/S Old Harford Road, 177' N of the c/l of Putty Hill Road  
(8602 Old Harford Road)  
9th Election District - 6th Councilmanic District  
Edward L. Gittings, Jr., et ux - Petitioners  
Case No. 93-134-SPHX

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a modification of Case Nos. 4928, 71-217 and 78-70-X to permit a special exception for a use in combination service station and car wash, all as shown on the attached site plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Legal Owner(s):

EDWARD L. GITTINGS, Jr.

(Type or Print Name)

Signature

Address

City and State

Address

City and State

Address

City and State

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City and State

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ORDER RECEIVED FOR FILING  
Date 1/13/93  
By [Signature]

ESTIMATED LENGTH OF HEARING - 1/2 HR.  
AVAILABLE FOR HEARING  
MON./TUES./WED. - NEXT TWO MONTHS  
ALL  
ESTIMATED BY: [Signature] DATE 12-14-92

134





# Petition for Special Exception

to the Zoning Commissioner of Baltimore County  
for the property located at 8602 Old Harford Road

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a use in combination service station and car wash all as shown on the attached site plan.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser/Lessor:  
(Type or Print Name)  
Signature  
Address  
City State Zip

Why do you submit this petition and offer, under the provisions of section 101, that you are the legal owner(s) of the property which is the subject of this petition.

Legal Owner:  
EDWARD L. GITTINGS, JR.  
Signature  
LINDA M. GITTINGS  
(Type or Print Name)  
Signature

1607 Cynthia Court  
Jarrattsville, Maryland 21084  
Phone No. 435-0800  
Newton A. Williams & Tom Parr, BPS Land Technology  
700 Court Towers P.O. Box 5614  
210 W. Pennsylvania Avenue Baltimore, MD 21210  
Towson, Maryland 21204 Phone No. 823-7800

ESTIMATED LENGTH OF HEARING 1 To 1-1/2 Hours  
The following date Real Time Month  
ALL OTHER  
REVISED BY DATE 10/14/92

Walter T. Parr Sylvester H. O'Grinc, P.E. Michael K. Smith, P.L.S.

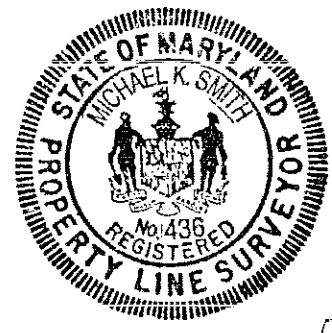
## BPS/land technology, inc.

Engineers & Surveyors 93-134-SPHX  
P.O. Box 5614 • Baltimore, MD 21210 • (301) 435-0800

### ZONING DESCRIPTION FOR 8600 OLD HARFORD ROAD

Beginning at a point on the West side of Old Harford Road which is 60 feet wide at a distance of 177 feet North of the centerline of Putty Hill Road which is 70 feet wide. Thence the six following courses and distances:

- 1.) South 13 degrees 36 minutes 04 seconds West - 127.14 feet,
- 2.) Southwesterly by a line curving to the right with a radius of 15.00 feet for a distance of 22.11 feet,
- 3.) Westerly by a line curving to the left with a radius of 435.00 feet for a distance of 86.68 feet,
- 4.) South 86 degrees 37 minutes 31 seconds West - 52.50 feet,
- 5.) North 03 degrees 22 minutes 13 seconds West - 172.50 feet,
- 6.) South 79 degrees 04 minutes 05 seconds East - 199.19 feet to the point of beginning, containing 0.245 acres of land more or less as recorded in Liber E.H.K. Jr. No. 6859, folio 725.



Michael K. Smith

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 93-134-SPHX Date of Posting: 11/1/92  
Posted for: Special Hearing & Exception  
Petitioner: Edward L. Gittings, Jr. and Linda M. Gittings  
Location of property: 8602 Old Harford Rd. at Putty Hill Ave.  
Location of Sign: Along road along property of petitioner  
Remarks:  
Posted by: [Signature] Date of return: 11/10/92  
Number of Signs: 2

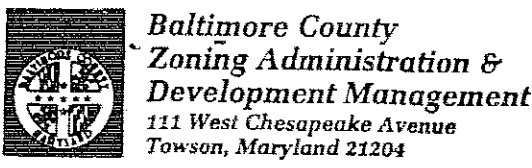
## CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/5, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/5, 1992

THE JEFFERSONIAN,

Publisher



Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150

Number

PAID PER HAND-WRITTEN RECEIPT DATED 10/9/92

	QTY	PRICE
040 -SPECIAL HEARING (OTHER)	1 X	\$250.00
050 -SPECIAL EXCEPTION	1 X	\$300.00
TOTAL:		\$550.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

DATE: 11-6-92

Edward and Linda Gittings  
1607 Cynthia Court  
Jarrattsville, Maryland 21084

RE:  
CASE NUMBER: 93-134-SPHX (Item 134)  
corner Old Harford Road and Putty Hill Avenue  
8602 Old Harford Road - Woodcroft Amoco  
9th Election District - 6th Councilmanic  
Petitioner(s): Edward L. Gittings, Jr. and Linda M. Gittings  
HEARING: TUESDAY, DECEMBER 1, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 99.11 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

ARNOLD JABLON  
DIRECTOR

cc: Newton A. Williams, Esq.

111 West Chesapeake Avenue  
Towson, MD 21204

OCT. 29 1992 (410) 887-3353

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-134-SPHX (Item 134)  
corner Old Harford Road and Putty Hill Avenue  
8602 Old Harford Road - Woodcroft Amoco  
9th Election District - 6th Councilmanic  
Petitioner(s): Edward L. Gittings, Jr. and Linda M. Gittings  
HEARING: TUESDAY, DECEMBER 1, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a modification of case #4928, #71-217 and #78-70-X to permit a special exception for a use in combination service station and car wash.

Special Exception for a use in combination service station and car wash.

[Signature]  
Lawrence E. Schmidt

Zoning Commissioner of  
Baltimore County

cc: Edward and Linda Gittings  
Newton A. Williams, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

November 18, 1992 (410) 887-3353

Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams  
700 Court Towers  
210 West Pennsylvania Avenue  
Towson, MD 21204

RE: Case No. 93-134-SPHX, Item No. 134  
Petitioner: Edward L. Gittings, Jr. et ux  
Petition for Special Hearing and  
Special Exception

Dear Mr. Williams:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this  
19th day of October, 1992.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*W. Carl Richards Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Edward L. Gittings, Jr., et ux  
Petitioner's Attorney:

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 6, 1992  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developer Engineering Division

RE: Zoning Advisory Committee Meeting  
for November 6, 1992  
(Item No. 134)

The Developer Engineering Division has reviewed  
the subject zoning item. Approval of the exception should be  
made contingent upon compliance with the Landscape Manual.

RWB:DAK:6

*Rec'd 11/10/92*

SHA  
Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: +134 (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it  
does not access a State roadway and is not effected by any State Highway Administration  
projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*David Ramsey*  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is \_\_\_\_\_

383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5002 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

*Rec'd 11/5/92*

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: November 13, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 9, 1992

ITEM NUMBER: 134

1) The southern access off Old Harford Road needs to be eliminated.

2) Service bay parking spaces labeled SB-5 and SB-6 need to be relocated.

3) Stacking spaces must scale a minimum of 20 ft. long.

4) Storage space CW-14 needs to be moved behind CW-18.

5) The proposed vacuum at the northwest corner of the site needs to be  
eliminated.

6) The proposed access to the car wash appears to be less than 12 ft. wide.

7) This office recommends denial until the above comments have been  
adequately addressed.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJR/lvd

*Rec'd 11/10/92*

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

OCTOBER 2, 1992

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: EDWARD L. GITTINGS, JR. AND LINDA W. GITTINGS  
Location: #8602 OLD HARFORD ROAD  
Item No.: #134(JCM) Zoning Agenda: NOVEMBER 2, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by  
this Bureau and the comments below are applicable and required to be  
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site  
shall comply with all applicable requirements of the National Fire  
Protection Association Standard No. 101 "Life Safety Code", 1988  
edition prior to occupancy.

REVIEWER: *Carl J. Giff* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

*Rec'd 11/18/92*

93-134-SPHX 12-1-92

Department of Environmental Protection & Resource Management 11/23/92  
Development Review Committee *Respectfully*  
Authorized signature \_\_\_\_\_ Date 11-24-92

Project Name	File Number	Waiver Number	Zoning Issue	Meeting Date
Keys Development Corporation	157			11-16-92
✓ Steven J. and Beverly A. Timchula	158			NO COMMENTS
✓ Steven M and Deborah S. Faulkner	159			NO COMMENTS
✓ Ralph L. and Elsie M. Hackler	160			IN PROCESS
✓ Theresa Rykaczewski	161			NO COMMENTS
✓ Jean Romadka	162			WRITTEN COMMENTS
✓ Residuary T. of Milton Schwaber - Carroll Independent Fuel	163			NO COMMENTS
COUNT 10				
✓ Steven and Nadine Mosgin	129			11-2-92
✓ Edward L. And Linda M. Gittings	134			NO COMMENTS
✓ Kathleen Gaiser	135			NO COMMENTS
✓ Charles E. Anderson	136			WRITTEN COMMENTS
✓ Richard E. Shetrone Jay E. Boyd	137			NO COMMENTS

NEWTON A. WILLIAMS  
THOMAS J. DENNER  
WILLIAM F. ENGLISH, JR.  
STEPHEN J. NOLAN  
ROBERT L. HANLEY, JR.  
ROBERT S. GUSHAKOW  
STEPHEN M. SCHENKOW  
DOUGLAS L. BURGESS  
ROBERT E. CARILL, JR.  
E. BRUCE JONES, P.E.  
GREGORY A. JONES  
J. JOSEPH CURRIAN, II  
CHRISTINE A. INCISBERY

LAW OFFICES  
NOLAN, PLUMHOFF & WILLIAMS  
CHARTERED  
SUITE 700, COURT TOWERS  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-5340  
(410) 823-7800  
TELEFAX: (410) 296-2765

JAMES D. NOLAN  
BRETTED 1200  
J. EARLE PLUMHOFF  
BRETTED 1000  
RALPH E. DEITZ  
BRETTED 1000  
OF COUNSEL  
T. BAYARD WILLIAMS, JR.  
WRITER'S DIRECT DIAL  
825

January 8, 1993

HAND DELIVERED

The Honorable Timothy M. Kotroco, Esquire  
Deputy Zoning Commissioner for Baltimore County  
Suite 113, Court House  
400 Washington Avenue  
Towson, Maryland 21204

Dear Mr. Kotroco:

RE: Special Exception and Special Hearing  
for Woodcroft Amoco  
Mr. Edward L. Gittings, Jr.  
Case No.: 93-134 SPHX  
Opinion and Order dated December 10, 1992  
REQUEST FOR MODIFICATION AND STAY

Confirming our brief office conference of January 7, 1993,  
we wish to first of all thank you for the favorable Decision  
which was so promptly completed.

Secondly, my clients and engineers have expressed some  
concern over two of the six conditions.

The first condition is Condition No. 4, which reads "the  
Petitioner shall be required to replace all concrete curbs and  
sidewalks on the subject property." Based upon our discussion  
on January 7, 1993 by this you do not mean the driveway  
aprons. Furthermore, technically the curbs and sidewalks are  
actually within the right-of-way of Putty Hill Avenue and the  
right-of-way of Old Harford Road and are not on the subject  
property, and we do not mean to be quibbling or legalistic.

RECEIVED  
JAN 11 1993  
ZONING COMMISSIONER

Page Two  
January 8, 1993

Our engineer Tom Parr has been told by ZADM that special  
permission is needed to do work in the right-of-way of any  
public road, and it is not easily obtained. Also it may be  
much more expensive than ordinary concrete work because of the  
public right-of-way involvement.

Furthermore, we would like an opportunity to review these  
sidewalks in detail in the field with a view to determining how  
many are damaged or deteriorated, and whether the color,  
texture and height can be matched. We understand your concern  
that you want pedestrians not to go from a dead white sidewalk  
to an older, grayer or dark gray sidewalk, nor to walk up and  
down at different elevations.

The second point concerns the requirement to close under  
Condition No. 6 between 10:00 p.m. and 9:00 a.m. We understand  
that your concern from our January 7th meeting is that the  
spray equipment and the vacuum cleaners will be disturbing to  
nearby residents, either on Putty Hill Avenue on the west, or  
to the residents to the rear of the service garage next door to  
the north.

Of course my clients would ask you and the Planning Staff  
to consider totally removing this prohibition, or cutting it  
back, and if you were to cut it back, I might suggest 11:00  
p.m. to 7:00 a.m., since we are not concerned with the morning  
peak hours and actually few people these days really go to bed  
before 11:00 p.m. Also, as you can well understand this is not  
a quiet neighborhood, and the traffic noise on Old Harford  
Road, on Putty Hill Avenue, and on the beltway which is not to  
far to the north is all present. Furthermore, there is a fire  
station and a police station immediately adjacent and thus  
there is activity at all hours of the day and night not  
withstanding the presence of the service station.

Accordingly, please consider this letter as a formal  
request for modification of your Opinion and Order of December  
10, 1992, and a Stay as to its effectiveness, which we also  
understand extends the appeal period. Thus, it is our  
understanding from our conference that it is not necessary to  
note an appeal to the County Board of Appeals within thirty  
days, which of course would deprive you of jurisdiction to at  
least reconsider these matters.

Thanking you and your staff for your kind consideration of  
this matter, I am,

Respectfully,  
*Newton A. Williams*  
Newton A. Williams

NAW/psk



cc: Phyllis Friedman, Esquire  
Baltimore County People's Counsel  
Mr. Edward L. Gittings, Jr.  
Woodcroft Amoco  
8602 Old Harford Road  
Baltimore, Maryland 21234  
Tom Parr, P.E.  
BPS Land Technology  
P.O. Box 5614  
Baltimore, Maryland 21210  
John Erdman, P.E.  
Erdman & Associates, Inc.  
8800 LaSalle Road  
Suite 336, Chester Building  
Towson, Maryland 21204

Baltimore County Government  
Department of Public Works



November 24, 1992

111 West Chesapeake Avenue  
Towson, MD 21204-4604  
Edward & Linda Gittings  
8602 Old Harford Road  
Baltimore, Maryland 21234

RE: Gittings Property  
District 9C6

Dear Mr. & Mrs. Gittings:

The Development Review Committee met on November 16, 1992, to consider the plan submitted for review.

The submitted plan was determined to be a "Limited Exemption" pursuant to the Development Regulations of Baltimore County, Section 26-171(b)(9).

Your Development is exempt from the Community Input Meeting and Hearing Officers Hearing pursuant to Sections 26-202 and 26-206.II.

Be advised that we are recommending that the Zoning Commissioner require your project to be reviewed through the Development Review Process.

To further process your Development Plan as a Limited Exemptions under Section 26-171(B)9:

Submit 2 check prints of the Development Plan, prepared in accordance with Sec. 26-203 of the Development Regulations (Bill 1-92), to the Bureau of Public Services, Division of Land Development (Rm.321, County Office Bldg.), together with a copy of the waiver or exemption approval letter

The Development Plan review fee for this project is \$1152.00, as required by the fee schedule which became effective April 1992 in accordance with the provisions of Sec. 15.9(c) of the Baltimore County Code. This fee, in the form of a certified or cashier's check made payable to Baltimore County, Maryland, must be submitted together with the Development Plan package (22 copies of the Development Plan with all check print review comments addressed).

If you have any questions about this procedure, do not hesitate to call me at 887-3340.

Sincerely,  
*Lee Schreiber*  
Lee Schreiber  
Devel't Review Comm. Coordinator  
Bureau of Public Services

LCS:lcs  
cc: File, Don Rascoe-ZADM  
Carl Richards-Zoning  
11092G/REFINE

Baltimore County Government  
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Carl Richards-Zoning  
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93-134-3PHX 12-1-92

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management  
DATE: November 18, 1992  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Woodcraft Amoco

INFORMATION:  
Item Number: 134  
Petitioner: Edward L. Gittings, Jr.  
Property Size: 0.80 acres  
Zoning: B6  
Requested Action: Special Hearing, Special Exception  
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:  
The petitioner is requesting a Special Exception for a use in combination service station and car wash and a Special Hearing to modify Case Numbers 4928, 71-217 and 78-70X to permit a special exception for a use in combination service station and car wash.

The Office of Planning and Zoning recommends that if the Special Exception and Special Hearing are granted the following conditions should be met.

1. The petitioner must submit a landscape plan for approval before any building permits are issued. Consideration should be given to landscaping the area between the two vehicular entrances on Perry Hill Avenue.
2. The exterior walls of the service station have peeling paint and should be repainted.
3. A small portion of the wood fence on the west property line is damaged and should be repaired.
4. Due to the proximity of the residential dwelling adjacent to the service station to the west, the car wash should not be permitted to operate between the hours of 10:00 p.m. and 9:00 a.m.
5. The existing concrete curbs, sidewalks and aprons are in deteriorating condition and should be replaced.

Prepared by: *James Murray*

Division Chief: *Ernest McLeod*

EMCD/FM:rdn

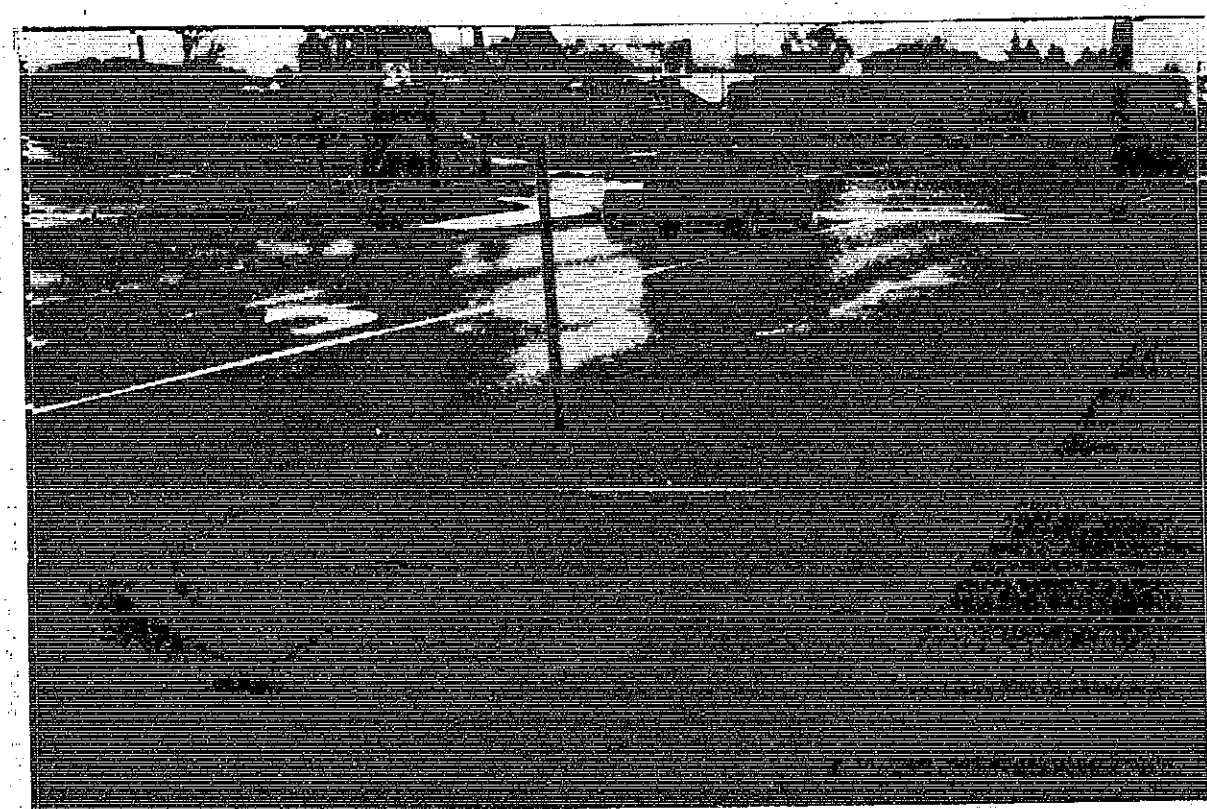
134.ZAC/ZAC1

Rec'd 11/23/92

PLEASE PRINT CLEARLY

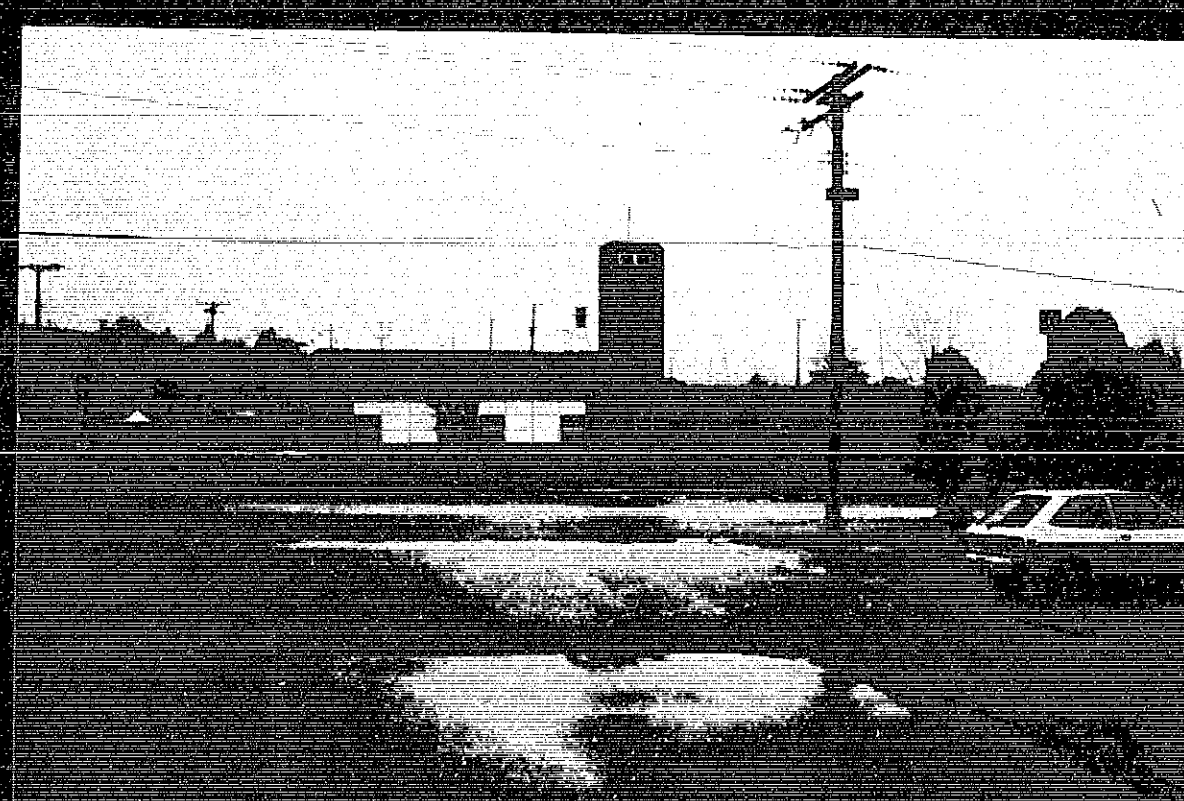
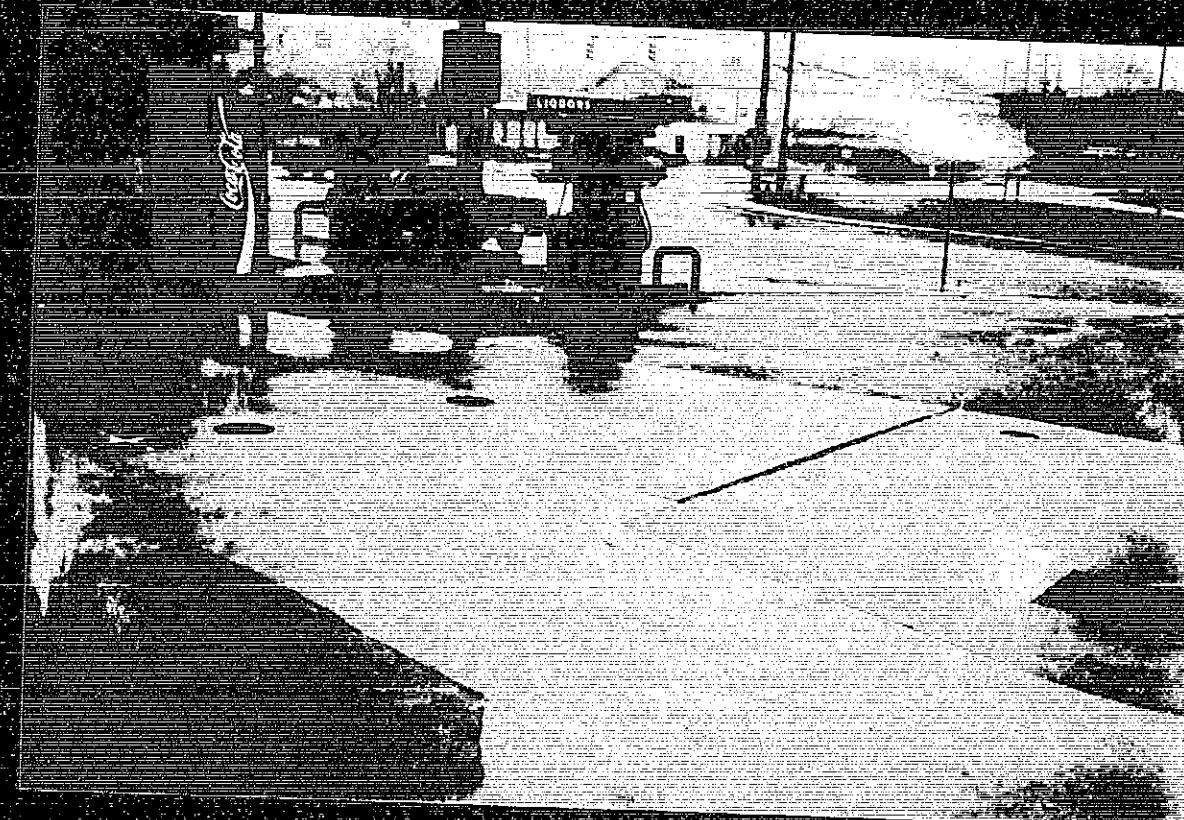
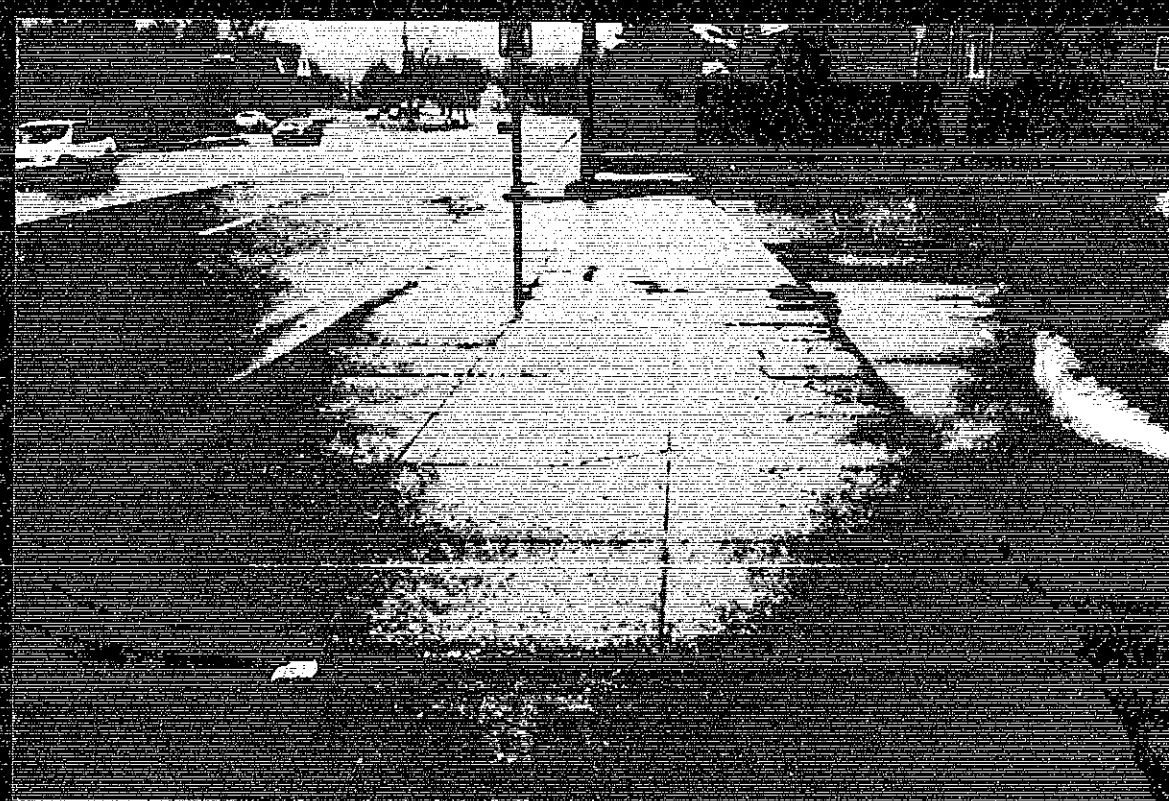
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Newton Williams</i>	<i>700-Crest Towers, 21204</i>
<i>James F. Fagg</i>	<i>684 DORCHESTER RD. BALTO, MD 21210</i>
<i>Edward L. Gittings, Jr.</i>	<i>1607 Cypress Ct. Towson, MD 21204</i>
<i>John W. Erdman</i>	<i>8800 LaSalle Rd. Suite 336 Towson, MD 21204</i>



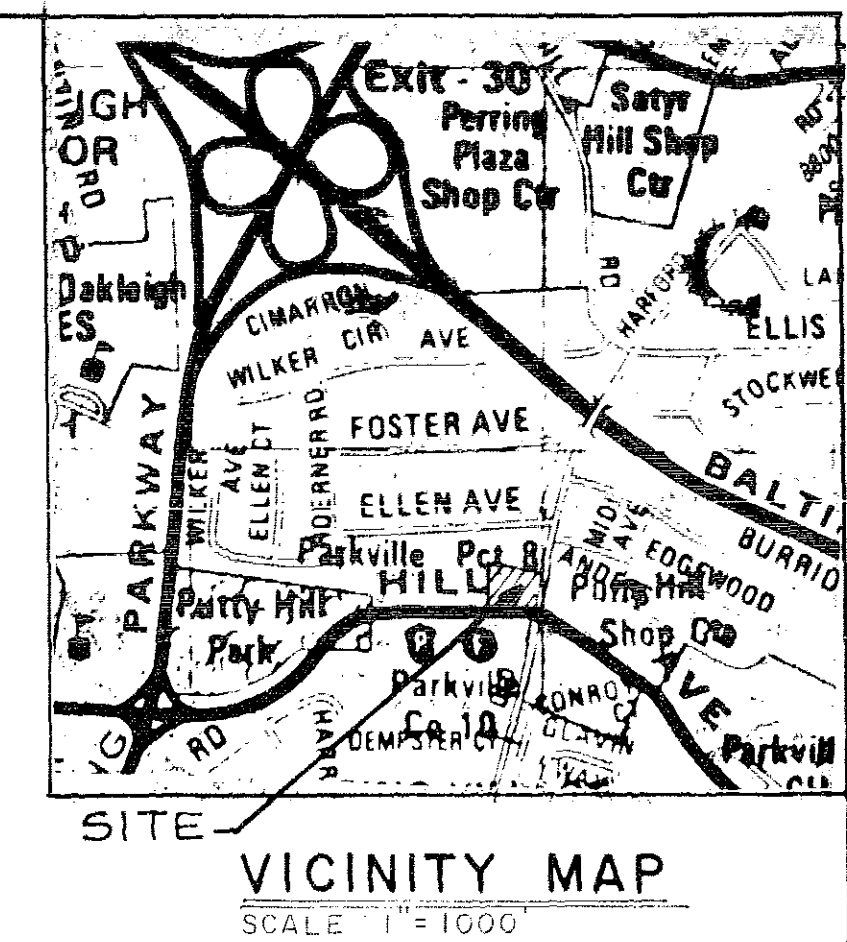
Modification  
Exhibits 1

Photographs  
Case 93-134-3PHX





- LEGEND**
- Service Bay Parking . . . . . PS-1 8 1/2'
  - Gasoline Stacking . . . . . GS-1
  - Employees Parking . . . . . EP-1
  - Car Wash Stacking . . . . . CW-1

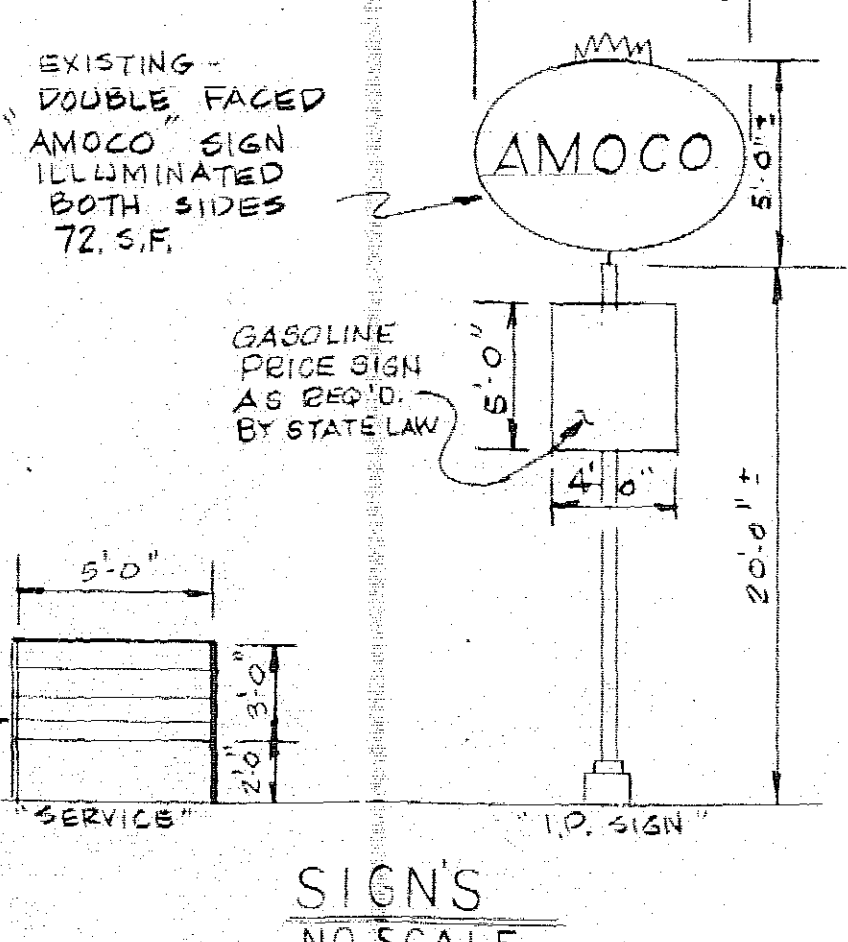
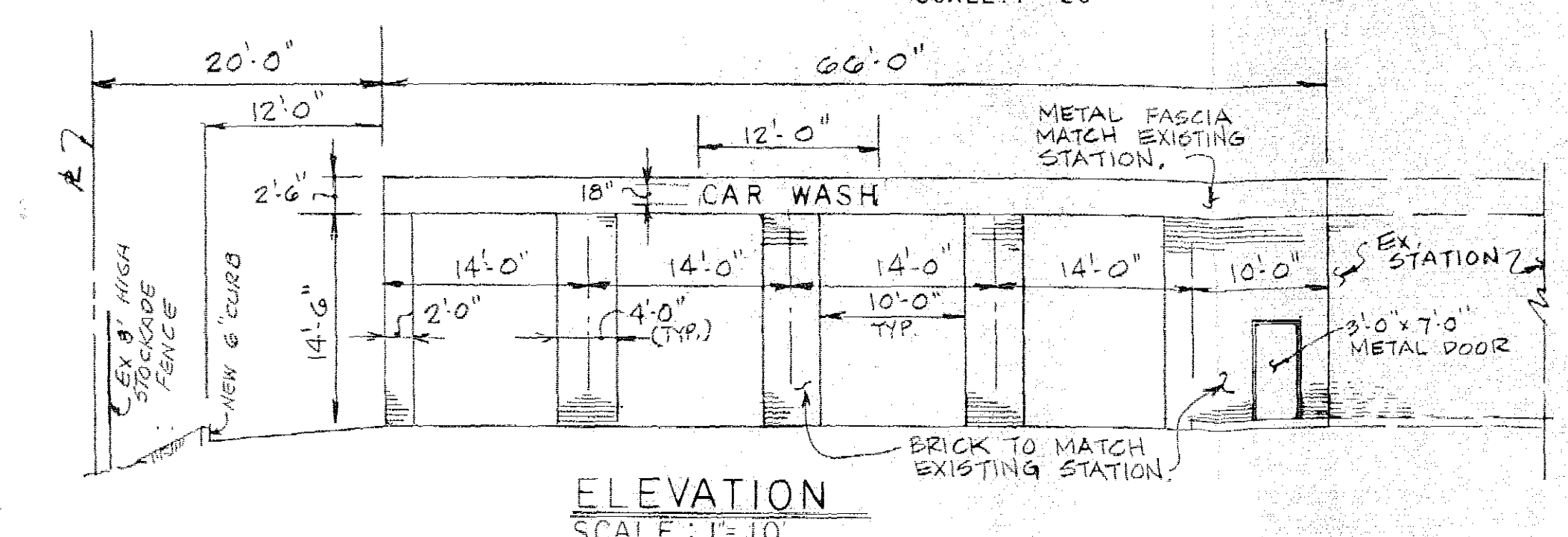
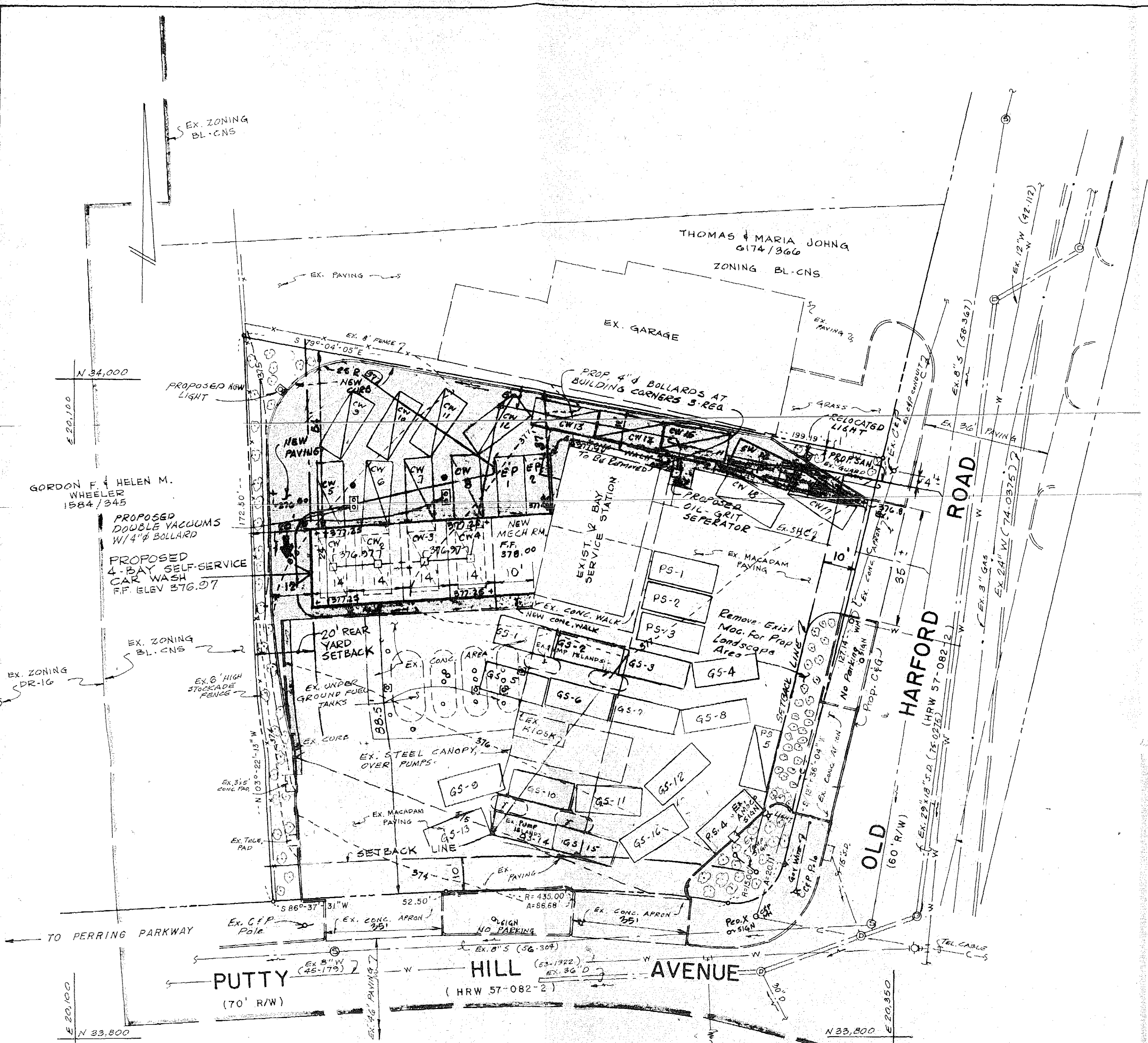


- SIZE DATA**
- OWNER: EDWARD L. & LINDA M. GITTINGS  
1607 Cynthia Court  
Jarrettsville, Maryland 21084
- PROPERTY ADDRESS:  
WOODCROFT AMOCO  
8602 Old Harford Road  
Baltimore, Maryland 21234
- DEED REFERENCE: . . . . . 6859/725  
TAX ACCOUNT # . . . . . 091565852  
ELECTION DISTRICT . . . . . 2  
TAX MAP . . . . . 71  
GRID . . . . . 13  
PARCELS . . . . . 14  
LOT . . . . . 40  
EXISTING ZONING . . . . . BL  
EXISTING USES . . . . . GAS & SERVICE STATION  
PROPOSED STRUCTURE . . . . . SELF SERVICE CAR WASH  
GROSS AREA . . . . . 34,558 S.F. or 0.80 AC  
NET AREA . . . . . 26,588 S.F. or 0.61 AC  
COUNCILMANIC DISTRICT . . . . . 4  
CENSUS TRACT . . . . . 4920.02  
WATERSHED . . . . . HERRING RUN
- PARKING & STACKING REQUIREMENTS**
1. site has 8 gasoline dispensers;  
stacking requirement - 2 spaces per dispenser;  
therefore, 8x2 = 16 spaces
  2. automobile stacking is based on  
an average of 15 minutes per car;  
stacking requirement - 1 space per 15 minutes;  
therefore, 8 cars/hr. x 4 bays = 10 spaces
  3. site has 2 service bays;  
parking requirement - 5 spaces per bay;  
therefore, 2x5 spaces x 2 bays = 20 spaces
  4. site has 2 employees;  
parking requirement - 1 space per employee;  
therefore, 2 employees x 1 = 2 spaces
- TOTAL parking & stacking requirement . . . . . 42 spaces**
- PARKING & STACKING PROVIDED**
1. gasoline stacking . . . . . 16 spaces
  2. car wash stacking . . . . . 10 spaces
  3. service bay parking . . . . . 6 spaces
  4. employee parking . . . . . 2 spaces
- TOTAL PARKING & STACKING PROVIDED . . . . . 42 spaces**

- EXISTING ZONING CASES:**
- 3358 REQUEST REZONING FROM RESIDENTIAL  
TO BL. GRANTED JANUARY 11, 1955
- 4928 REQUEST SPECIAL EXCEPTION TO  
PERMIT GASOLINE STATION IN A  
BL ZONE - GRANTED APRIL 14, 1960
- 71-217 REQUEST VARIANCE OF SIGN HEIGHT  
OF 35 FEET IN LIEU OF REQUIRED  
25 FEET AND LIGHT STAND OF 18  
FEET IN LIEU OF THE REQUIRED  
8 FEET - GRANTED MARCH 17, 1971
- 78-70X SPECIAL EXCEPTION TO PERMIT A  
CAR WASH IN A BL ZONE - GRANTED  
NOVEMBER 7, 1978

**PETITIONER'S  
EXHIBIT 1**

PLAT TO ACCOMPANY PETITION  
FOR SPECIAL HEARING



**BPS/land technology inc.**  
Engineers & Surveyors  
P.O. BOX 5614  
Baltimore, Maryland  
301-435-0800

OWNER / DEVELOPER  
**EDWARD L. GITTINGS JR.**  
1607 CYNTHIA COURT  
JARRETTSVILLE, MARYLAND 21084

REVISIONS		
Date	Description	By
11-14-82	Revise Stacking, Closed entrance, Remove Vacuum Stacking Light, Parking Requirements, Access North and Parking Space	K.O.P.

**WOODCROFT AMOCO**  
8602 OLD HARFORD ROAD  
9th ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND 21234

SCALE: AS SHOWN SHEET 1 OF 1 DATE: 10-1-92

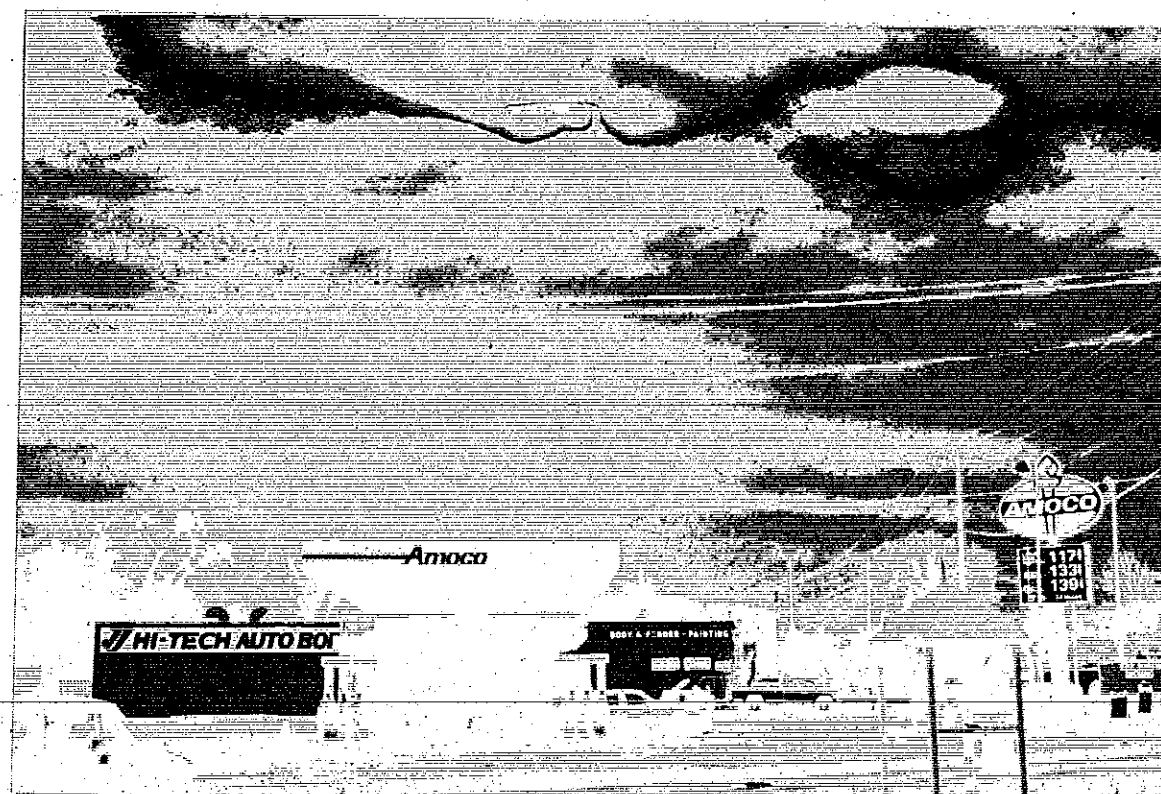




A. Site at NW/C of Putty Hill and Old Hayford Rd.



B. Close up of corner, note zoning signs



C. Site from S/S of Putty Hill looking North



D. Site from E/S of Old Hayford looking West

Z.C.

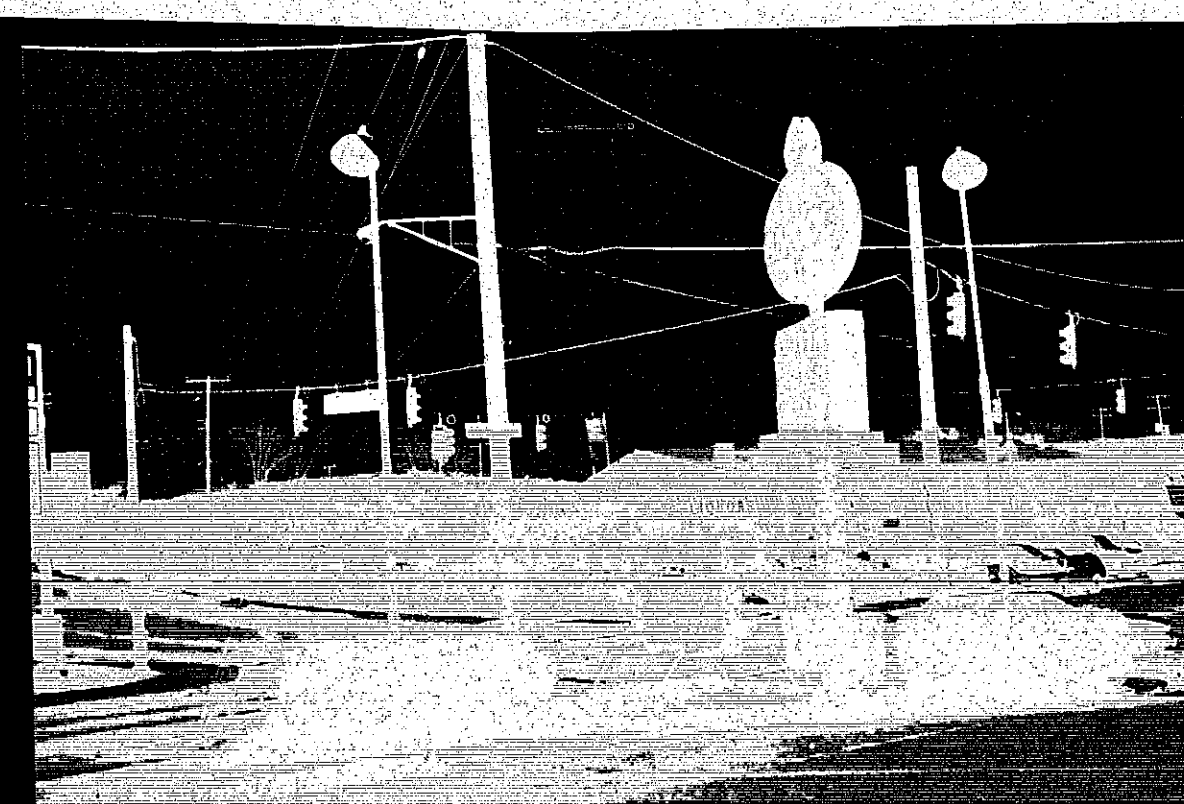
Pet. 2

Little  
Woodcraft Annex  
93-134-SPHX

PETITIONER'S  
EXHIBIT 2



E. Looking East on Putty Hill toward Old Hayford



F. Looking SE from site across Putty Hill



G. Site showing wind-eroded - proposed car wash site



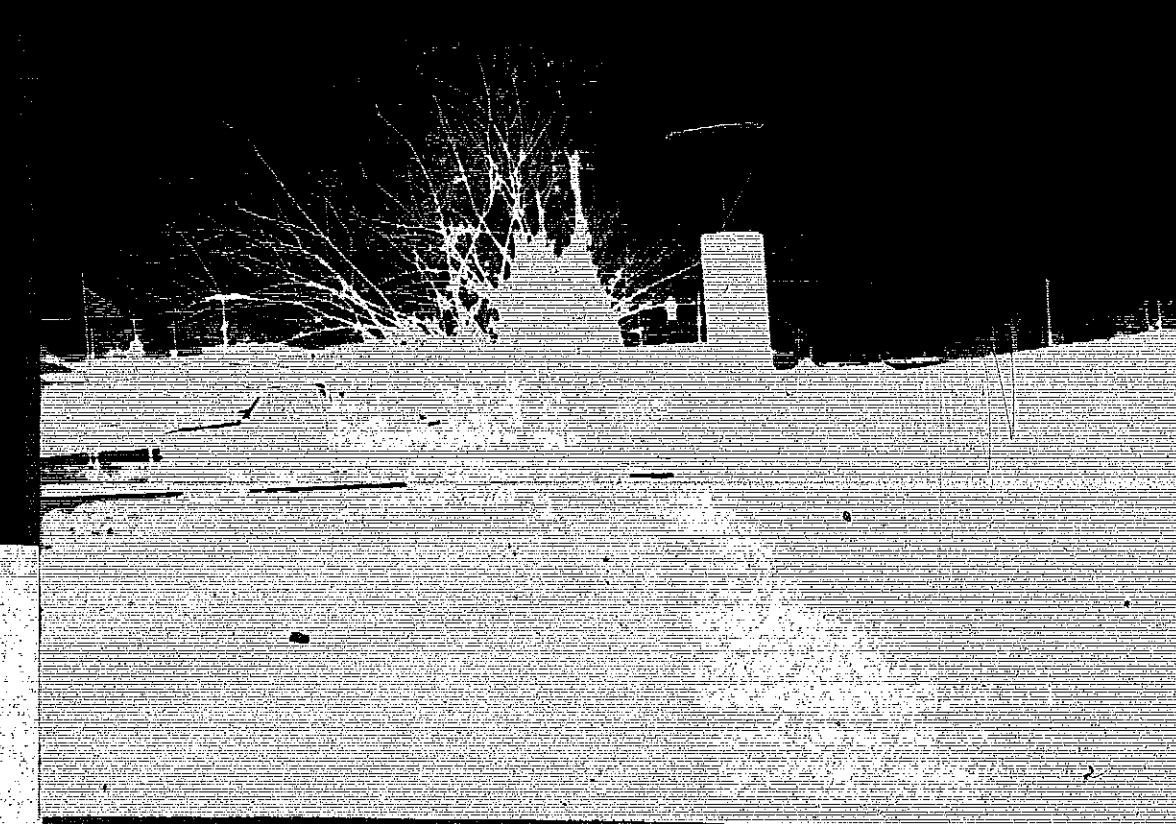
H. Present utility bldg on NW part of site



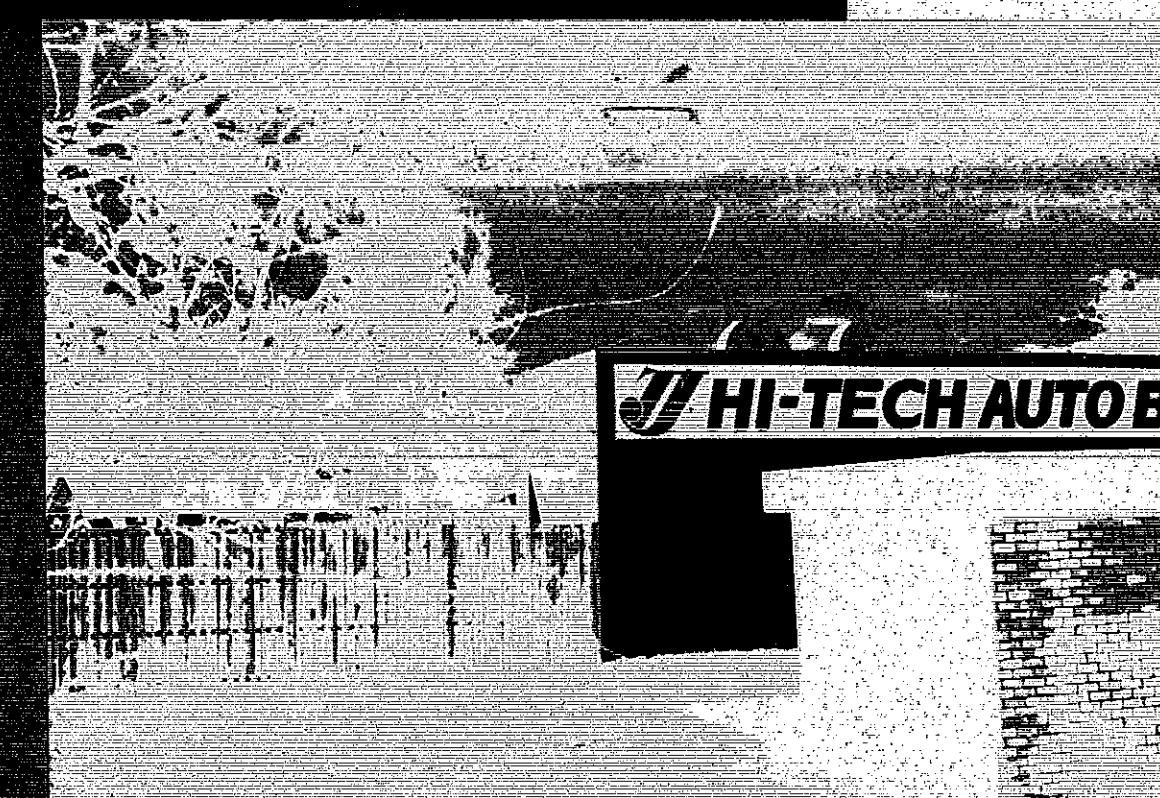
I. Looking East at rear of present bldg.



J. NW/C of site showing screen fence.



K. Looking South along screen fence on W/S of site

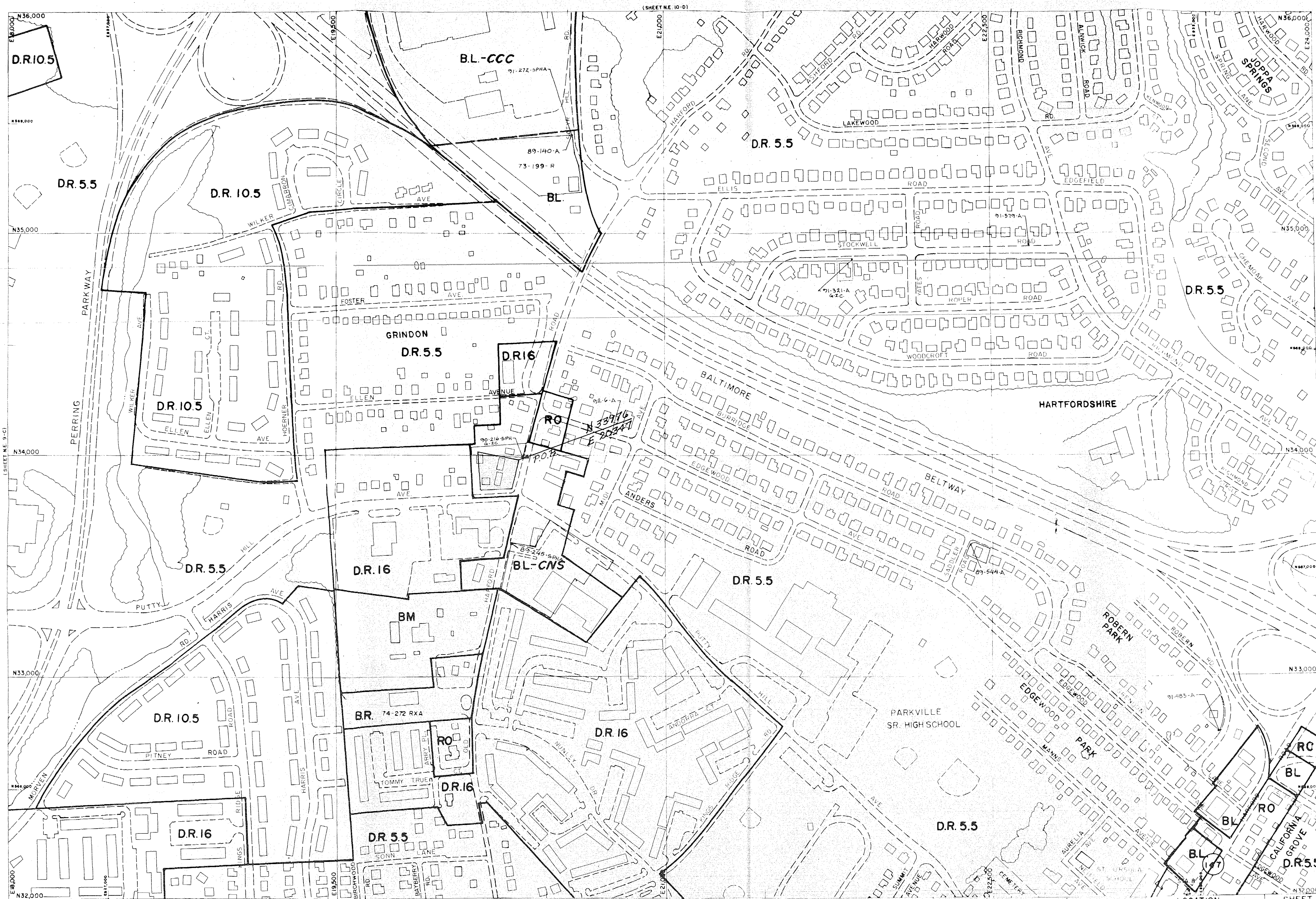


L. Service garage on N of the site



M. Proposed area of car wash site and building





N - NE

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988

BM Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Chairman, County Council

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'	PARKVILLE	N.E.
DATE OF PHOTOGRAPHY		9-D
JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

93-134-SP4X

134